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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,829	12/22/2000	Daryl Carvis Cromer	RPS 2000 0054	8922

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IBM CORPORATION
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EXAMINER

VAUGHAN, MICHAEL R

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 06/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/746,829

Applicant(s)

CROMER ET AL.

Examiner

Michael R Vaughan

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date Z.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claims 1-36 have been examined and are pending.

Information Disclosure Statement

An initialed and dated copy of Applicant's IDS form 1449, Paper No. 7, is attached to the instant Office action.

Claim Rejections - 35 USC ' 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 13-16, 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Friedman (USP 5,499,294) in view of Squilla et al, hereinafter Squilla (USP 5,898,779).

As per claims 1, 13, and 25, Friedman teaches enabling an image to be authenticated, the method comprising the steps of: providing a digital signature associated with a device (col. 5, lines 55-60); allowing a user to capture the image utilizing the device (col. 5, line 60); associating the digital signature with the captured image wherein the digital signature is capable of being utilized to authenticate the captured image (col. 6, lines 5-7).

Friedman is silent in expressly disclosing that user related information is associated to the digital signature. Friedman's system only associates a digital image with a particular digital camera. It would be advantageous if the user who took the digital image could also be associated with the digital image. Squilla teaches a photographer's information may be included for subsequent authentication along with the image and that the photographer's information is stored within the image hash in the digital signature (col. 5, line 60—col. 6, line 5).

In view of this, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teaching of Squilla within the system of Friedman because it would allow the system to be able to authenticate a digital image with both the camera that was used to take the image and the person who took the image.

As per claims 2, 14, and 26, Friedman teaches the device is capable of electronically transmitting images (col. 8, lines 30-33).

As per claims 3, 15, and 27, Friedman teaches the device comprises a digital camera (col. 8, line 30).

As per claims 4, 16, and 28, the examiner supplies the same rational for the motivation as recited in the rejection of claims 1, 13, and 25. Squilla teaches the information related to the user comprises the user's identity (col. 5, lines 64-65).

Claims 5-12, 17-24, and 29-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Friedman and Squilla as applied to claims 1-4, 13-16, 25-28 above, and further in view of Steinberg et al, hereinafter Steinberg (USP 5,862,217).

As per claims 5, 17, and 29, Friedman and Squilla are silent in disclosing utilizing a radio frequency interface to associate the user's identity with the captured image. Steinberg teaches utilizing a radio frequency interface to associate the user's identity with the captured image (col. 2, line 65—col. 3, line 7). This method provides an easy way for the user to input his/her information on a computer and have it downloaded to the digital camera. In view of this it would have been obvious to one of ordinary skill in

the art at the time of the invention to employ the teachings of Steinberg within the combined system of Friedman and Squilla because it would allow the user to easily input his/her information on a computer where it could be downloaded to the digital camera.

As per claims 6, 18, and 30, Friedman teaches the user of a public and private key associated with a digital camera. Friedman does not disclose a public/private key pair associated with the user. Steinberg teaches a public/private key pair associated with the user (col. 4, lines 10-15). Steinberg uses a public/private key pair because of its proven ability to securely encrypt and decrypt confidential data. In view of this it would have been obvious to one of ordinary skill in the art at the time of the invention to employ the teachings of Steinberg within the combined system of Friedman and Squilla because it would provide a provable manner in which only a user who possessed the private key could have signed the digital image.

As per claims 7, 19, and 31, the examiner supplies similar rationale for the motivation as recited in the rejection of claims 5, 17, and 29 to incorporate the teachings of Steinberg within the system of Friedman and Squilla. Steinberg teaches utilizing a smart card to associate the user's identity with the captured image (col. 2, lines 57-58) for the same reason as mentioned above.

As per claims 8, 20, and 32, Friedman teaches the user of a public and private key associated with a digital camera. Friedman does not disclose a public/private key pair associated with the user. Steinberg teaches a public/private key pair associated with the user (col. 4, lines 10-15). Steinberg uses a public/private key pair because of its proven ability to securely encrypt and decrypt confidential data. In view of this it would have been obvious to one of ordinary skill in the art at the time of the invention to employ the teachings of Steinberg within the combined system of Friedman and Squilla because it would provide a provable manner in which only a user who possessed the private key could have signed the digital image.

As per claims 9, 10, 21, 22, 33, and 34, Friedman teaches associated a private key with the captured image (col. 5, lines 55-58).

As per claims 11, 12, 23, 24, 35, and 36, Friedman teaches storing the captured image and the digital signature in a file, wherein the file is located within a memory of the digital camera; hashing the file thereby producing a digest; and associating the digest with the private key (col. 5, lines 55-65).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R Vaughan whose telephone number is 703-305-0354. The examiner can normally be reached on M-F 7:30-4:00.

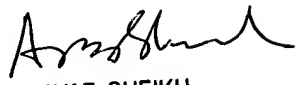
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MV
Michael R Vaughan

Examiner

Art Unit 2131


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100